

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE:

KRISTEN NICOLE PROPERTIES, ET AL.;

Appellant

LYLE ODO,

Appellant

v.

KEVIN SHAFINIA.

Respondent

DOCKET NUMBER WD79272 & WD79280

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: October 4, 2016

Appeal From:

Circuit Court of Platte County, MO
The Honorable James Walter Van Amburg, Judge

Appellate Judges:

Division Four
Mark D. Pfeiffer, Chief Judge Presiding, James Edward Welsh, and Alok Ahuja, Judges

Attorneys:

William Hudnall, Kansas City, MO
Lyle Odo, Platte City, MO

Counsel for Appellant, Kristen Nicole Properties
Appellant Acting Pro Se

Attorneys:

Robert Wulff, St. Louis, MO

Counsel for Respondent

**MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

**KRISTEN NICOLE PROPERTIES, ET AL., Appellant;
LYLE ODO, Appellant, v. KEVIN SHAFINIA, Respondent**

WD79272 & WD79280

Platte County

Before Division Four Judges: Pfeiffer, C.J., Welsh, and Ahuja, JJ.

Kristen Nicole Properties and Lyle Odo appeal the circuit court's judgment denying their request for attorney's fees and litigation expenses in their lawsuit against Kevin Shafinia over the rightful ownership of a parcel of land in Platte County.

Affirmed.

Division Four holds:

The circuit court did not err in denying the Appellants' request for attorney's fees and litigation expenses based on its finding that Shafinia's confession of judgment as to "reasonable attorney's fees, litigation expenses, and costs incurred . . . to be found by the Court, if any" did not mandate the imposition of such fees and expenses. Rather, Shafinia simply confessed judgment as to any reasonable attorney's fees, litigation expenses, and court costs, if the court found that any should be awarded. The court did not abuse its discretion in determining that none were warranted.

Opinion by James Edward Welsh, Judge

October 4, 2016

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